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AF/ BOX SEQ

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

KOTAKI et al.

Art Unit: 1642

Application No.: 09/674,436

Examiner: Yu, Misook

Confirmation No.: 8485

Filed: July 16, 2001

Attorney Dkt. No.: 026390-00001

For: GENE-ANY-RF; DORMANCY-CONTROL SUBSTANCE AND METHOD FOR PREPARING THE SAME AS WELL AS CELL-CONTROL AGENT FOR BIOLOGICAL CELLS

SUBSTITUTE SEQUENCE LISTING AND STATEMENT UNDER 37 CFR 1.821

Mail Stop Sequence
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Date: January 14, 2004

Sir:

In response to the Office Communication dated January 2, 2004, applicants hereby submit the attached substitute Sequence Listing, in both a paper copy and computer readable form (in a file named "09674436 Substitute Seq Listing" in ASCII, MS-DOS compatible).

Applicants hereby state that the sequence listing information recorded in computer readable form is identical to the sequence listing in the paper form.

No new matter is introduced with the substitute Sequence Listing attached.

In the event any fee is required for the filing of this paper, the fee can be charged to Deposit Account No. 01-2300, referencing Docket No. 026390-00001.

Respectfully submitted,

King L. Wong

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Enclosures: Paper copy of Substitute Sequence Listing
Computer readable form of Substitute Sequence Listing
Copy of Notice to Comply

220036_1.DOC

09/674,436

Application No.:_

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- [X] 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- [ ] 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- [ ] 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- [X] 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- [ ] 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- [ ] 6. The paper copy of the "Sequence Listing" is not the same as the computer readable from of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- [ ] 7. Other:

Applicant Must Provide:

- [X] An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- [X] An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- [X] A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216
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